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Express Mail No.: EM 202 006 355 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

9208

Application of: Peter Seibel *et al.*

Serial No.: 08/765,244

Group Art Unit: UNASSIGNED

Int'l Filing Date: 11 June 1995

Examiner: UNASSIGNED

For: Chimerical Peptide-Nucleic Acid
Fragment, Process For Producing The
Same And Its Use For Appropriately
Introducing Nucleic Acids Into Cell
Organelles And Cells

Attorney Docket No.:
8484-018-999

RECEIVED

21 SEP 1998

Legal Staff
International Division

BOX PCT
Commissioner for Patents
Washington, D.C. 20231

Sir:

This Petition to Withdraw Abandonment is filed in Response to the Notification of Abandonment mailed February 3, 1998 (copy attached). The notice indicates that "the above-entitled application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495 and is ABANDONED" because "Applicant has failed to respond to the notification of MISSING REQUIREMENTS (FORM PCT/DO/EO/905), mailed 09 Jun 97 within the time period set therein".

In a telephone conference with Ms. Eless D. Brown on February 17, 1998, Applicants advised that this Notification of Abandonment was mailed in error in view of the fact that Applicants filed the Response to Notification of Missing Requirements on October 30, 1997, with a petition for a 4-month extension of time (extending the time to respond to November 9, 1997), an executed Declaration and Power of Attorney, an executed Small Entity Statement, a return copy of the Notification of Missing Requirements, a copy of the Transmittal Letter as filed on December 16, 1996, and a return postcard. Copies of each of the documents are enclosed, together with a copy of the postcard stamped by the United States Patent and Trademark Office which acknowledges receipt of the same documents on October 30, 1997.

Accordingly, the Notice of Abandonment was mailed in error and should be rescinded immediately.

Applicants believe that no fee is due at this time; however, please charge any discrepancy to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date February 23, 1998

Laura A. Coruzzi /^{b7c}
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
BOX PCT
Washington, D.C. 20231

08/765244

US APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/765,244	SEIBEL	P 8484018999

PENNIE & EDMONDS REFERRED TO
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-2711
FEB 5 1995
Pennie & Edmonds
O.K. for filing

5621

INTERNATIONAL APPLICATION NO.
PCT/DE95/00775

I.A. FILING DATE 06/11/95 PRIORITY DATE 06/26/94

02/03/98

DATE MAILED:

NOTIFICATION OF ABANDONMENT

(Response sent 10/30/97)

Petition to Revive - 5/3/98

SH

The United States Patent and Trademark Office in its capacity as
 a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495), has made the following determination:

1. Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
2. Applicant has failed to provide the full U. S. Basic National Fee by 20 months (37 CFR 1.494 (b)(2)), 30 months (37 CFR 1.495 (b)(2)).
3. Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 09 Jun 97 within the time period set therein.
4. Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
5. Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

RECEIVED
PENNIE & EDMONDS
FEB 18 1998
CA OFFICE

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PCT International Division
Paralegal Specialist